



## **YUMA COUNTY PLANNING & ZONING COMMISSION MEETING PUBLIC NOTICE AND AGENDA**

*The Yuma County Planning & Zoning Commission meetings can  
also be viewed on the Yuma County Government Cable Channel 77.*

**DATE:** June 22, 2015  
**TIME:** 5:00 p.m.  
**PLACE:** Aldrich Auditorium, 2351 West 26th Street, Yuma, Arizona

<b>MEMBERS:</b>	<b>Martín Porchas, <i>Dist. 1</i></b>	<b>Michael Henry, Chairman, <i>Dist. 3</i></b>
	<b>Tim Bowers, <i>Dist. 1</i></b>	<b>Gary Black, <i>Dist. 4</i></b>
	<b>Max Bardo, <i>Dist. 2</i></b>	<b>Matias Rosales, <i>Dist. 4</i></b>
	<b>Paul White, <i>Dist. 2</i></b>	<b>Alicia Z. Aguirre, <i>Dist. 5</i></b>
	<b>Wayne Briggs, Vice-Chairman, <i>Dist. 3</i></b>	<b>John McKinley, <i>Dist. 5</i></b>

**STAFF:** **Maggie Castro, Planning Director**  
**Juan Leal- Rubio, Senior Planner**  
**Fernando Villegas, Senior Planner**  
**Melissa Manzo-Palacios, Office Specialist III**

**ADVISORS:** **Diana Gomez, Director, County Health District**  
**Joe Wehrle, County Tax Assessor**  
**Edward Feheley, Deputy County Attorney for Jon Smith, County Attorney**  
**Arturo Alvarez, Civil Engineer Assistant for Roger Patterson, County Engineer**

*Note: A quorum of the Commission may gather for dinner prior to the beginning of the meeting and no legal action will be taken.*

1. **Call to Order the Regular Session of the Yuma County Planning & Zoning Commission and verify quorum.**
2. **Pledge of Allegiance.**
3. **Approval of Planning and Zoning Commission regular meeting minutes of May 26, 2015**

4. **Commission Initiative No. 15-02:** A proposed text amendment to the Yuma County Zoning Ordinance, Section 302.05--Water and Sewage Systems Requirements.
5. **Request for Commission Initiative to amend the Yuma County Comprehensive Building Codes pursuant to Arizona Revised Statutes §11-861.**
6. **Request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 202.00--Definitions to include a definition of Biofuel, Biofuel Production Facility, and Biomass Power Generating Facility and Sections 601.03, 614.03, and 615.02 to list Biofuel Production and Biomass Power Generating Facilities as either a Permitted Use or Special Use, and to include a new Section 302.06--Biofuel Production to include requirements for biofuel production in Rural Area (RA) zoning districts.**
7. **Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**
8. **Adjourn.**

**Note:** For further information about this public hearing/meeting, please contact Maggie Castro, Planning Director, phone number (928) 817-5000; or e-mail [contactdds@yumacount](mailto:contactdds@yumacount) [contactdds@yumacountyaz.gov](mailto:contactdds@yumacountyaz.gov) or TDD/TTY (Arizona Relay Service): call in 1-800-367-8939, call back 1-800-842-4681. Individuals with special accessibility needs should contact the individual indicated above before the hearing/meeting with special need requirements.

**Note:** The Commission may vote to hold an Executive Session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda, pursuant to A.R.S. §38-431(A)(3).

# **Yuma County P & Z Commission**

## **Item No. 3**

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## YUMA COUNTY PLANNING & ZONING COMMISSION MEETING MINUTES

DATE: Tuesday, May 26, 2015

PLACE: Aldrich Auditorium, 2351 West 26th Street, Yuma,  
Arizona

**1. Call to Order the Regular Session of the Yuma County Planning and Zoning Commission and verify quorum.**

Chairman Henry convened the Planning Commission meeting to order at 5:00 p.m. Commissioners present were Chairman Michael Henry, Vice-Chairman Wayne Briggs, Paul White, Alicia Aguirre, John McKinley, Tim Bowers and Gary Black. Commissioners Matias Rosales, Max Bardo and Martin Porchas were absent.

**Staff present:** Planning Director Maggie Castro, Senior Planner Fernando Villegas, Senior Planner Juan Leal Rubio, Office Specialist III Melissa Manzo-Palacios, and Office Specialist III Choo Kelly.

**2. Pledge of Allegiance.**

Chairman Henry led the Pledge of Allegiance.

**3. Approval of Planning and Zoning Commission regular meeting minutes of April 27, 2015.**

Commissioner Briggs made a motion recommending approval of the Planning and Zoning Commission regular meeting minutes of April 27, 2015 as presented. Commissioner McKinley seconded the motion. The motion carried 7-0.

**4. Special Use Permit No. 15-03:** Kyle Carter, agent for Sisson Farms AZ LTD AZ LLLP, requests a Special Use Permit per Section 1115.04 of the Yuma County Zoning Ordinance to establish a wireless communication facility on a parcel of 80.1 gross acres zoned Rural Area-40 acre minimum (RA-40), Assessor's Parcel Number 177-24-001, located at the southeast corner of the intersection of County 1st Street and Avenue 69½E, specifically with an address of 1145 South Avenue 69½E, Dateland, Arizona. *(This item was continued from the April 27, 2015 meeting.)*

Staff advised that case has been withdrawn. No action was taken.

5. **Rezoning Case No. 15-04:** Barry L. Olsen, Law Offices of Larry W. Suci, PLC, agent for Rogelio Sosa Palos and Maria del Pilar Soto Martinez, requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number (APN) 747-51-011, located at 15522 South Avenue 2 $\frac{3}{4}$ E, Yuma, Arizona.

Juan Leal Rubio, Senior Planner, presented staff report recommending approval of Rezoning Case No. 15-04 with the following Performance Conditions and Schedule for Development:

**Performance conditions**

Within 60 days of approval of RZ15-04 by the BOS the owner or applicant shall:

1. Provide an A.R.S. Section 12-1134 waiver.
2. Record an agricultural disclosure statement.
3. Record a range disclosure statement.
4. Record an avigation disclosure statement.
5. Record an infrastructure disclosure statement.

**Scheduled for development**

1. Within one year of approval by the BOS, the owner shall record an ingress/egress easement 20 feet in width along the west side of the 38 foot lateral easement located along the east boundary line of the subject parcel.
2. Within one year of approval by the BOS and prior to approval of LDP, the owner shall apply for a Grading Permit with YCDDS to improve the ingress/egress easement referred to in item 1 of the SFD in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat (Standard Number B-Penetration and Chip Seal). The northern end of the ingress/egress easement shall also contain the means for emergency vehicles to turn around. The turn-around shall also be a cul-de-sac or hammerhead installed in compliance with the attached policy.
3. Prior to the development of any future parcels or within one year of approval by the BOS, whichever occurs first, the owner shall submit certification from a licensed engineer confirming the penetration and chip seal road referred to in item 2 of the SFD above was constructed according to Standard Number B-Penetration and Chip Seal.
4. Within one year of approval by the BOS, a LDP shall be applied for and approved in accordance with Section 507.00 of the YCZO.
5. All lots resulting from the proposed land division shall be provided with the means of irrigation and access to irrigation water prior to development of any future parcels or within one year of approval by the BOS, whichever occurs first. A letter from the Yuma Mesa Irrigation District shall be submitted stating a satisfactory irrigation system is installed and the individual lots will have access to irrigation water.

Staff received two external comments and/or correspondence:

1. On 04/08/15, staff received a comment from Paula Backs, MCAS, asking that avigation and range disclosure statements be recorded.

2. On 05/01/15, staff received an e-mail from Pat Morgan, YMID, recommending proper irrigation techniques for landowners.

Staff received two internal comments and/or correspondence:

1. On 05/05/15, staff received a memorandum from Arturo Alvarez, Land Development Engineer recommending the following:
  - a. No right of way dedication along the alignments due to the proximity of the A-9.9E 0.7 Lateral.
  - b. The developer shall construct a twenty (20) foot wide access built road in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat along the east property line of subject parcel. Refer to attachment Standard No. B – Penetration and Chipseal.
2. On 04/06/15, staff received an email from Craig Sellers, Deputy County Engineer, who advised that a grading permit will be required for access road.

Chairman Henry asked staff if the improved roadway will run from the northeast corner of the property down to County 16<sup>th</sup> Street. Staff said the roadway will run from the southeast corner of Parcel 11 up north to the northeast corner of the parcel and would be outside of the existing 38 foot lateral easement within a dedicated 20 foot access easement which would be dedicated.

Barry Olsen, 101 East 2<sup>nd</sup> Street Yuma, Arizona, stated he as well as his applicant is in concurrence with the staff report.

Chairman opened and closed to public.

Commissioner Black made a motion recommending approval of Rezoning Case No. 15-04 as presented by staff. Commissioner White seconded the motion. The motion carried 7-0.

**6. Request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 302.05--Water and Sewage Systems Requirements.**

Juan Leal Rubio, Senior Planner presented the staff report requesting a text amendment to Section 302.05 of the Yuma County Zoning Ordinance adopted September 25, 2006. Currently, the section requires a minimum size of at least one (1) acre for parcels requiring on-site water and sewage disposal systems. The intent of the proposed text amendment is to provide consistency and guidance to property owners seeking to develop parcels less than one (1) acre in size created prior to September 25, 2006 where both a water supply and sewage disposal system are to be constructed on the same lot.

Approval of the proposed amendment will allow the minimum parcel size to be dictated by the area necessary for the safe accommodation of individual wells and sewage disposal systems. The development shall also adhere to all other

Planning & Zoning Commission  
Regular Meeting Minutes – May 26, 2015

requirements of the Zoning Ordinance and not be detrimental to public health, safety, and welfare.

Chairman Henry opened and closed to public

Commissioner Black asked if this amendment would required an ADEQ permit. Staff advised that the Yuma County Department of Development service is delegated by the state to review and approve septic systems.

Commissioner Aguirre made a motion to accept the request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 302.05—Water and Sewage Systems Requirements as presented by staff. Commissioner Bowers seconded the motion. The motion carried 7-0.

**7. Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**

No discussion.

**8. Adjourn**

The meeting adjourned at 5:18 p.m.

These minutes were approved and accepted on this 22nd day of June, 2015.

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Witness:  
Michael Henry  
Chairman

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Attest:  
Maggie Castro  
Planning Director



# **Yuma County P & Z Commission**

## **Item No. 4**

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#### **4. AIR-6402**

#### **P&Z Commission Agenda**

**Meeting Date:** 06/22/2015

**Submitted For:** Maggie Castro

**Submitted By:** Juan Leal-Rubio

**Department:** Planning & Zoning Division - DDS

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#### **Information**

##### **1. REQUESTED ACTION:**

**Commission Initiative No. 15-02:** A proposed text amendment to the Yuma County Zoning Ordinance, Section 302.05--Water and Sewage Systems Requirements.

##### **2. INTENT:**

This section was adopted on September 25, 2006. Currently, the section requires a minimum size of at least one (1) acre for parcels requiring on-site water and sewage disposal systems. The intent of the proposed text amendment is to provide consistency and guidance to property owners seeking to develop parcels less than one (1) acre in size created prior to September 25, 2006 where both a water supply and sewage disposal system are to be constructed on the same lot. Approval of the proposed amendment will allow the minimum parcel size to be dictated by the area necessary for the safe accommodation of individual wells and sewage disposal systems. The development shall also adhere to all other requirements of the Zoning Ordinance and not be detrimental to public health, safety and welfare.

##### **3. For detailed analysis see attached staff report**

##### **4. STAFF'S RECOMMENDATION:**

Staff recommends approval of Commission Initiative No. 15-02 to amend Section 302.05 of the Yuma County Zoning Ordinance.

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#### **Attachments**

Staff Report  
P&Z Minutes

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## MEMORANDUM

**TO:** Yuma County Planning and Zoning Commission

**FROM:** Juan Leal Rubio, Senior Planner *JLR*

**RE:** Commission Initiative No. 15-02: A proposed text amendment to the Yuma County Zoning Ordinance, Section 302.05--Water and Sewage Systems Requirements.

**DATE:** June 1, 2015

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This is a request to amend Section 302.05 of the Zoning Ordinance. This section was adopted on September 25, 2006. Currently, the section requires a minimum size of at least one (1) acre for parcels requiring on-site water and sewage disposal systems. The intent of the proposed text amendment is to provide consistency and guidance to property owners seeking to develop parcels less than one (1) acre in size created prior to September 25, 2006 where both a water supply and sewage disposal system are to be constructed on the same lot. Approval of the proposed amendment will allow the minimum parcel size to be dictated by the area necessary for the safe accommodation of individual wells and sewage disposal systems. The development shall also adhere to all other requirements of the Zoning Ordinance and not be detrimental to public health, safety and welfare.

The proposed changes are shown below. Text that is in ~~striethrough~~ format is proposed to be deleted and text that is in **bold** format is proposed new text.

### 302.05--Water and Sewage Systems Requirements

- A. For those parcels with access to both public water and sewer, the minimum parcel size shall conform to the applicable zoning district standard.
- B. For parcels requiring on-site water and ~~or~~ sewage disposal facilities, the minimum lot size shall provide sufficient area necessary for the safe accommodation of individual wells and ~~or~~ sewage disposal systems as follows:
  - 1. **For parcels created after September 25, 2006** where both the water supply and sewage disposal system ~~is are~~ to be developed on the same lot, the minimum size shall be at least one (1) acre, excluding streets, alleys and other rights-of-way and be large

enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system.

2. **For parcels created prior to September 25, 2006 where both the water supply and sewage disposal system are to be developed on the same lot, the minimum size shall be large enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system**
23. Where water from a community system is provided and a sewage disposal system is to be developed on the lot, the lot shall be large enough to accommodate the residence, septic system and one hundred percent (100%) expansion of the septic system. Lots smaller than one (1) acre within a subdivision may require an alternative type of septic system.

The above standards are minimum standards. The Environmental **Programs Division** ~~Health Section~~ (Department of Development Services) may require more restrictive standards based upon adopted environmental and sanitary codes or regulations.

**Recommendation:**

Staff recommends approval of Commission Initiative No. 15.02 to amend Section 302.05 of the Yuma County Zoning Ordinance.

## YUMA COUNTY PLANNING & ZONING COMMISSION MEETING MINUTES

DATE: Tuesday, May 26, 2015  
PLACE: Aldrich Auditorium, 2351 West 26th Street, Yuma,  
Arizona

**1. Call to Order the Regular Session of the Yuma County Planning and Zoning Commission and verify quorum.**

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**Staff present:** Planning Director Maggie Castro, Senior Planner Fernando Villegas, Senior Planner Juan Leal Rubio, Office Specialist III Melissa Manzo-Palacios, and Office Specialist III Choo Kelly.

**2. Pledge of Allegiance.**

Chairman Henry led the Pledge of Allegiance.

**3. Approval of Planning and Zoning Commission regular meeting minutes of April 27, 2015.**

Commissioner Briggs made a motion recommending approval of the Planning and Zoning Commission regular meeting minutes of April 27, 2015 as presented. Commissioner McKinley seconded the motion. The motion carried 7-0.

**4. Special Use Permit No. 15-03:** Kyle Carter, agent for Sisson Farms AZ LTD AZ LLLP, requests a Special Use Permit per Section 1115.04 of the Yuma County Zoning Ordinance to establish a wireless communication facility on a parcel of 80.1 gross acres zoned Rural Area-40 acre minimum (RA-40), Assessor's Parcel Number 177-24-001, located at the southeast corner of the intersection of County 1st Street and Avenue 69½E, specifically with an address of 1145 South Avenue 69½E, Dateland, Arizona. *(This item was continued from the April 27, 2015 meeting.)*

Staff advised that case has been withdrawn. No action was taken.

- 5. Rezoning Case No. 15-04:** Barry L. Olsen, Law Offices of Larry W. Suciu, PLC, agent for Rogelio Sosa Palos and Maria del Pilar Soto Martinez, requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number (APN) 747-51-011, located at 15522 South Avenue 2¾E, Yuma, Arizona.

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**Scheduled for development**

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3. Prior to the development of any future parcels or within one year of approval by the BOS, whichever occurs first, the owner shall submit certification from a licensed engineer confirming the penetration and chip seal road referred to in item 2 of the SFD above was constructed according to Standard Number B-Penetration and Chip Seal.
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  - b. The developer shall construct a twenty (20) foot wide access built road in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat along the east property line of subject parcel. Refer to attachment Standard No. B – Penetration and Chipseal.
2. On 04/06/15, staff received an email from Craig Sellers, Deputy County Engineer, who advised that a grading permit will be required for access road.

Chairman Henry asked staff if the improved roadway will run from the northeast corner of the property down to County 16<sup>th</sup> Street. Staff said the roadway will run from the southeast corner of Parcel 11 up north to the northeast corner of the parcel and would be outside of the existing 38 foot lateral easement within a dedicated 20 foot access easement which would be dedicated.

Barry Olsen, 101 East 2<sup>nd</sup> Street Yuma, Arizona, stated he as well as his applicant is in concurrence with the staff report.

Chairman opened and closed to public.

Commissioner Black made a motion recommending approval of Rezoning Case No. 15-04 as presented by staff. Commissioner White seconded the motion. The motion carried 7-0.

**6. Request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 302.05--Water and Sewage Systems Requirements.**

Juan Leal Rubio, Senior Planner presented the staff report requesting a text amendment to Section 302.05 of the Yuma County Zoning Ordinance adopted September 25, 2006. Currently, the section requires a minimum size of at least one (1) acre for parcels requiring on-site water and sewage disposal systems. The intent of the proposed text amendment is to provide consistency and guidance to property owners seeking to develop parcels less than one (1) acre in size created prior to September 25, 2006 where both a water supply and sewage disposal system are to be constructed on the same lot.

Approval of the proposed amendment will allow the minimum parcel size to be dictated by the area necessary for the safe accommodation of individual wells and sewage disposal systems. The development shall also adhere to all other



Planning & Zoning Commission  
Regular Meeting Minutes – May 26, 2015

requirements of the Zoning Ordinance and not be detrimental to public health, safety, and welfare.

Chairman Henry opened and closed to public

Commissioner Black asked if this amendment would required an ADEQ permit. Staff advised that the Yuma County Department of Development service is delegated by the state to review and approve septic systems.

Commissioner Aguirre made a motion to accept the request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 302.05—Water and Sewage Systems Requirements as presented by staff. Commissioner Bowers seconded the motion. The motion carried 7-0.

**7. Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**

No discussion.

**8. Adjourn**

The meeting adjourned at 5:18 p.m.

These minutes were approved and accepted on this 22nd day of June, 2015.

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Witness:  
Michael Henry  
Chairman

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Attest:  
Maggie Castro  
Planning Director

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# **Yuma County P & Z Commission**

## **Item No. 5**

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## **5. AIR-6416**

### **P&Z Commission Agenda**

**Meeting Date:** 06/22/2015

**Submitted For:** Patrick Headington

**Submitted By:** Maggie Castro

**Department:** Planning & Zoning Division - DDS

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#### **Information**

##### **1. REQUESTED ACTION:**

Request for Commission Initiative to amend the Yuma County Comprehensive Building Codes pursuant to Arizona Revised Statutes §11-861.

##### **2. INTENT:**

The City of Yuma is moving to adopt the 2014 National Electric Code, 2012 International Code Council Mechanical Code, Plumbing Code and Fuel Gas Code with some minor amendments. In order to meet the requirements of Arizona Revised Statutes §11-861, the county must amend the existing Yuma County Comprehensive Building Safety Code to be consistent with the City of Yuma. Adoption of the City of Yuma's codes with their amendments would update existing construction regulations within the unincorporated areas of Yuma County and maintain consistency in the construction codes between the City of Yuma and Yuma County. Contractors and Designers have expressed the desire to have the same code throughout Yuma County.

##### **3. For detailed analysis see attached staff report**

##### **4. STAFF'S RECOMMENDATION:**

Staff recommends the Planning Commission initiate an amendment to the Yuma County Comprehensive Building Code(s) as presented.

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#### **Attachments**

Staff report

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## MEMORANDUM

**TO:** Yuma County Planning and Zoning Commission

**FROM:** Patrick Headington, Chief Building Official

**RE:** Request for Commission Initiative to amend the Yuma County Comprehensive Building Code(s)

**DATE:** June 10, 2015

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The Chief Building Official requests the Planning & Zoning Commission begin an initiative to amend the Yuma County Comprehensive Building Safety Code(s) pursuant to ARS §11-861.

The City of Yuma is moving to adopt the 2014 National Electric Code, 2012 International Code Council Mechanical Code, Plumbing Code and Fuel Gas Code with some minor amendments. In order to meet the requirements of Arizona Revised Statutes §11-861, the county must amend the existing Yuma County Comprehensive Building Safety Code to be consistent with the City of Yuma. Adoption of the City of Yuma's codes with their amendments would update existing construction regulations within the unincorporated areas of Yuma County and maintain consistency in the construction codes between the City of Yuma and Yuma County. Contractors and Designers have expressed the desire to have the same code throughout Yuma County.

### **Recommendation:**

Staff recommends the Planning Commission initiate an amendment to the Yuma County Comprehensive Building Code(s) as presented.

# **Yuma County P & Z Commission**

## **Item No. 6**

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## **6. AIR-6424**

### **P&Z Commission Agenda**

**Meeting Date:** 06/22/2015

**Submitted For:** Maggie Castro

**Submitted By:** Fernando Villegas

**Department:** Planning & Zoning Division - DDS

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#### **Information**

**1. REQUESTED ACTION:**

**Request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 202.00--Definitions to include a definition of Biofuel, Biofuel Production Facility, and Biomass Power Generating Facility and Sections 601.03, 614.03, and 615.02 to list Biofuel Production and Biomass Power Generating Facilities as either a Permitted Use or Special Use, and to include a new Section 302.06--Biofuel Production to include requirements for biofuel production in Rural Area (RA) zoning districts.**

**2. INTENT:**

To initiate a text amendment to the Yuma County Zoning Ordinance.

**3. For detailed analysis see attached staff report**

**4. STAFF'S RECOMMENDATION:**

Staff recommends that the Planning Commission initiate a text amendment to the Yuma County Zoning Ordinance as presented.

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#### **Attachments**

Staff Report

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## MEMORANDUM

**TO:** Yuma County Planning & Zoning Commission

**FROM:** Fernando Villegas, Senior Planner

**THRU:** Maggie Castro, Planning Director

**RE:** Request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 202.00--Definitions to include a definition of Biofuel, Biofuel Production Facility, and Biomass Power Generating Facility and Sections 601.03, 614.03, and 615.02 to list Biofuel Production and Biomass Power Generating Facilities as either a Permitted Use or Special Use, and to include a new Section 302.06--Biofuel Production to include requirements for biofuel production in Rural Area zoning districts.

**DATE:** June 12, 2015

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This is a request to initiate a text amendment to the Yuma County Zoning Ordinance, Section 202.00--Definitions to include a definition of Biofuel, Biofuel Production Facility, and Biomass Power Generating Facility and Sections 601.03, 614.03, and 615.02 to list Biofuel Production and Biomass Power Generating Facilities as either a Permitted Use or Special Use, and to include a new Section 302.06--Biofuel Production to include requirements for biofuel production in Rural Area zoning districts.

Biofuel is a form of fuel that emits no carbon and is created from the breakdown of carbon dioxide into organic compounds by living organisms, somewhat similar to composting. Biofuels are converted into a liquid fuel that is made from biological materials rather than hydrocarbon sources (like oil and natural gas). Common sources of biofuel include food crops, grassy/woody plants, algae, and organic components of municipal and industrial wastes. The two predominant types of biofuels currently available are ethanol and biodiesel. Ethanol is an alcohol made from a biological process in which elements such as glucose, fructose and sucrose are converted into cellular energy producing ethanol and is often used as a fuel or gasoline additive. Biodiesel is made from combining alcohol (usually methanol) with animal fat, vegetable oil, or recycled cooking grease, and can be blended with petroleum diesel to create a biodiesel blend.

The size of a biofuel production facilities varies depending on the type of biofuel and the amount of production. Large producing facilities have a great impact on the infrastructure, local communities and the environment. To protect and prevent major impacts to our agriculture areas,

staff is proposing a special use permit for Biofuel Production Facilities in the Rural Area (RA) zoning districts.



*Exhibit 1. Aerial view of the Arizona Center for Algae Technology and innovation on Arizona State University's Polytechnic campus.*



*Exhibit 2. Abengoa Biorefinery of Kansas Ethanol Plant*

The proposed changes are shown below. Text that is in ~~striketrough~~ format is intended to be deleted and text in **bold letter** format is proposed new text to be added.

Proposed changes:

202.00--Definitions

**Biofuel:** A renewable fuel product, whether solid, liquid, or gas, that is derived from recently living organisms or their metabolic by-products and meets applicable quality standards, including but not limited to ethanol and bio-diesel; and not including methane or any other fuel product from an anaerobic digester.

**Biofuel Production Facility:** A lawful operation on the same lot on which biofuel (as defined in this section) is derived from recently living organisms or their metabolic by-products. This term shall include all equipment, storage tanks and other improvements needed to produce, store, and transport the biofuel in a manner that meets all federal, state, and Yuma County standards and limitations.

**Biomass Power Generating Facility:** An electric generating facility that burns wood, agricultural products, other plant or animal waste, as fuels to produce steam which is converted to electricity, or a gasification, methane fermentation, or alcohol fuel production facility.

302.06--Biofuel Production

Biofuel production in Rural Area zoning districts shall conform to the following requirements:

1. Biofuel production authorized by this Section shall be limited to a renewable fuel product, such as ethanol and biodiesel, derived from recently living organisms or their methabolic by product. Farmed based production of methane or any fuel product from an anaerobic digester shall be prohibited.
2. Structures, facilities and equipment used in the production or storage of biofuel shall comply with this Ordinance, other ordinances, and applicable State and Federal laws and regulations.
3. The owner or operator of the biofuel production facility must provide the Planning Commission with proof that all necessary approvals have been obtained from the department of environmental quality and other State and Federal agencies that are involved in permitting any of the following aspects of biofuel production:
  - a. Air pollution emissions.
  - b. Transportation of biofuel or additional products resulting from biofuel production.
  - c. Use or reuse of additional products resulting from biofuel production.
  - d. Storage of raw materials, fuel, or additional products used in, or resulting from, biofuel production.
  - e. Verification that the facility includes sufficient storage for raw materials, fuel, and additional products resulting from biofuel production; or the capacity to dispose of additional products through land application, livestock consumption sale or other lawful means.

- f. Compliance with Federal requirements associated with ethanol production of more than 10,000 proof gallons annually.**
- 4. Biofuel production facilities shall be limited to a maximum annual biofuel production capacity of not more than 500,000 gallons.**
- 5. Facilities with an annual production capacity of more than 100,000 gallons of biofuel shall include all of the following:**
  - a. A detailed description of the process to be used to produce the biofuel.**
  - b. The number of gallons of biofuel anticipated to be produced annually.**
  - c. An emergency access and fire protection plan, subject to review and recommendation by emergency response agencies serving the County.**
  - d. Documentation of compliance with applicable requirements of this ordinance, other ordinances and State and Federal laws and regulations.**

Rural Area Zoning District (RA)

601.03--Special Uses

**Z. Biofuel Production Facilities (See Section 302.06)**

**AA. Biomass Power Generating Facility**

Heavy Industrial Zoning District (HI)

614.03--Special Uses

**K. Biofuel Production Facilities.**

**L. Biomass Power Generating Facility**

Intensive Industrial District (II)

615.02--Permitted Uses

**J. Biofuel Production Facilities**

**K. Biomass Power Generating Facility**

Additionally, appropriate changes to the Table of Contents will be made to assure that the titles and page numbers correlate with the respective text.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission initiate a text amendment to the Yuma County Zoning Ordinance as presented.